



OFFICE OF THE ATTORNEY GENERAL OF TEXAS  
AUSTIN

GERALD C. MANN  
ATTORNEY GENERAL

Hon. Conn R. Isaacs  
County Auditor  
Milam County  
Cameron, Texas

Dear Sir:

Opinion No. 0-1372

Re: Commissioners' Court has power to appropriate money out of the General Fund of the county to employ counsel to represent the county in a suit for the purpose of testing the constitutionality of Senate Bill No. 224.

Your inquiry of the 31st ult. received. You inquire whether Milam County, through its Commissioners' Court, may employ counsel and pay them out of the General Fund, for the purpose of testing the constitutionality of Senate Bill No. 224.

A Commissioners' Court has the power to employ counsel to represent the county, and this right is not affected by the result of the suit. The Commissioners' Court also has power to employ counsel to assist the County Attorney.

See City National Bank vs. Presidio County, 26 S.W. 775; Terrell vs. Greene, 88 Tex. 539; Adams vs. Seagler, 112 Tex. 583

APPROVED OCT 3, 1939

*Gerald C. Mann*

ATTORNEY GENERAL OF TEXAS

Yours very truly

ATTORNEY GENERAL OF TEXAS

By

*A. S. Rollins*

A. S. Rollins  
Assistant

ASR:pbp

